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10/034,518	12/28/2001	Peter Thomas Camble	30014514-1	1655

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EXAMINER
THAI, TUAN V

ART UNIT	PAPER NUMBER
2186	

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/034,518	CAMBLE ET AL.	
	Examiner	Art Unit	
	Tuan V. Thai	2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 September 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10-23 and 25-30* is/are pending in the application.

4a) Of the above claim(s) *9 and 24* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10-11, 13-23 and 25-30* is/are rejected.

7)☒ Claim(s) *12* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Part III DETAILED ACTION

Specification

1. This office action is in response to Applicant's communication filed September 19, 2006. This amendment has been entered and carefully considered. Claims 1-8, 10-23 and 25-30 remain pending in the application. Claims 9 and 24 have been canceled.

2. The finality of the previous office action (rejection of claims 1-8, 10-13, 22-23 and 25-30), and the allowability of claims 14-19) are hereby withdrawn. Any inconvenience is ***SINCERELY*** regretted.

3. Applicant is reminded of the duty to fully disclose information under 37 CFR 1.56.

Claim Rejections - 35 USC § 112

4. Claim 22 is rejected under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 22, the recitation of "a medium" (line 10) is indefinite and should be changed to read -the medium-. Correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-8, 11, 13-18 and 20-21 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fujimoto (USPN: 6,018,720).

As per claim 1, Fujimoto discloses the invention as claimed including a method for securing access to a data medium, the method comprises recording a unique identification number assigned to each medium in at least a portion of a data library (e.g. see column 13, lines 19-25); and commanding at least one selected data transfer element in the library to only accept media having particular ones of the identification numbers as being equivalent to when it is judged that the purchaser's identification inherent data/accounting data recorded in the purchaser record medium 13 is normal or matched with the purchaser's ID stored in computers 21-23, the record medium 13 is accepted for processing in computer 24 (e.g. see column 13, lines 33 et seq.); ejecting a medium from a data transfer element in response to the identification number not being one

of the particular ones of the identification numbers (e.g. see column 13, lines 43 et seq.).

As per claim 2, the further limitation of clearing a previous list of allowed identification numbers for each data transfer element is embedded in the system of Fujimoto since data stored in computers 21 to 23 are user programmable (e.g. see column 13, lines 19 et seq.).

As per claim 3, reading the identification numbers of the media (e.g. see column 19, lines 19 et seq.).

As per claim 4, Fujimoto discloses listing the identification numbers of media in memory storage of the at least one selected data transfer elements that the at least one selected data transfer elements is to be allowed to access as being equivalent to the purchaser's ID including the purchaser's inherent data/accounting data are listed and stored in computers 21-23 (e.g. see column 13, lines 27-29).

As per claim 5, entering/storing identification numbers of media the at least one selected data transfer elements is allowed to access in memory storage of the at least one selected data transfer elements (e.g. see column 13, lines 27-29).

As per claims 6 and 7, reading/collating the identification number of the medium during transport of the medium from a medium storage element slot to one of the data transfer elements using a data transfer element receiving the medium (e.g. see

column 13, lines 25 et seq.).

As per claim 8, checking memory storage associated with the at least one selected data transfer element for the identification number of the medium is equivalent taught as checking whether the purchaser's ID is matched or unmatched (e.g. see column 13, lines 32 et seq.).

As per claims 11 and 13, Fujimoto discloses the identification number which is included in the purchaser's inherent data/accounting data recorded in the purchaser record medium 13, and the unique Ids are universal unique (e.g. see column 13, lines 20-23);

As per claim 14, Fujimoto discloses a method for securing access to data media in a particular partition of a partitioned data library, the method comprises listing identification numbers of media that data transfer elements in the partition are allowed to access in memory storage of the data transfer elements in the partition as being equivalent to the purchaser's ID including the purchaser's inherent data/accounting data are listed and stored in computers 21-23 (e.g. see column 13, lines 27-29); reading an identification number of a selected medium (e.g. see column 13, line 19-21); checking the memory storage of a data transfer element receiving the selected medium for the identification number of the selected medium is equivalent taught as checking whether the purchaser's ID is matched or

unmatched (e.g. see column 13, lines 32 et seq.); and accessing the selected medium in response to the identification number of the selected medium being present in the memory storage of the data transfer element receiving the selected medium is equivalent to when it is judged that the purchaser's identification inherent data/accounting data recorded in the purchaser record medium 13 is normal or matched with the purchaser's ID stored in computers 21-23, the record medium 13 is accepted for processing in computer 24 (e.g. see column 13, lines 33 et seq.).

As per claim 15, ejecting the selected medium from the data transfer element receiving the selected medium in response to absence of the identification number of the selected medium from the memory storage of the data transfer element receiving the selected medium (e.g. see column 13, lines 43 et seq.).

As per claim 16, the further limitation of clearing a previous list of allowed identification numbers for each of the data transfer elements in the partition is embedded in the system of Fujimoto since data stored in computers 21 to 23 are user programmable (e.g. see column 13, lines 19 et seq.).

As per claims 17 and 18, reading/collating the identification number of the medium during transport of the medium from a medium storage element slot to one of the data transfer elements using a data transfer element receiving the

medium (e.g. see column 13, lines 25 et seq.).

As per claims 20 and 21, Fujimoto discloses the identification number which is included in the purchaser's inherent data/accounting data recorded in the purchaser record medium 13, and the unique Ids are universal unique (e.g. see column 13, lines 20-23);

Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujimoto (USPN: 6,018,720).

As per claims 10 and 19, Fujimoto discloses the invention as claimed, detailed above with respect to claims 1 and 14. Fujimoto, however does not particularly disclose the ID number is encoded in a barcode disposed on the medium. First of all, it should be noted that barcode identification is a well known concept for providing ID to any devices or unit, and notorious

old at the time the current invention was made. Examiner is hereby taking Official Notice of this. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the current invention as made to utilize barcode identification for the medium as being claimed in the current invention. By doing so, it would allow simple testing procedure, fast test operation, and testing/monitoring/identifying of the medium without complex reconfiguration; therefore being advantageous.

9. Claims 1-8, 10-11, 13, 22-23 and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (USPN: 5,455,409); hereinafter Smith, in view of Fujimoto (USPN: 6,018,720).

As per claim 1, Smith discloses a method for securing access to a data medium the method comprises recording a unique identification number (e.g. VOLUME serial number, VOLSER) assigned to each medium (tape cartridge) in at least a portion of a data library is equivalently taught as each tape cartridge is provided with a circuit device and memory operable to store VOLSER number of the cartridge (e.g. see column 5, line 67 bridging column 6, line 6; column 11, lines 25-28): Smith discloses utilizing the VOLSER number in order to track the location of a particular tape in a tape carrier based upon a match of the VOLSER number; for example, Smith discloses if the

VOLSER numbers do match, a positive instruction is sent to action block 420, instructing the system to get the aisle, rack, and position numbers of the particular receptacle out of the 64 byte EEPROM memory in the microcontroller 300 (e.g. see column 24, lines 44-61). Smith does not particularly disclose (a) commanding at least one selected data transfer element in the library to only accept media having particular ones of the identification numbers, (b) ejecting a medium from a data transfer element in response to the identification number not being one of the particular ones of the identification numbers. First of all, it should be noted that by determining the location of the requested medium (tape) with respect to the matching of the VOLSER numbers, it's clearly understood that any transfer element within Smith's system must only accept media associated with the matching VOLSER in order to avoid, transferring of any unmatched media or unmatched media data to the host. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to implement the data transfer element in the library to only accept media having matching VOLSER number or matching identification number as being claimed. In doing so, it would enhance system reliability; reducing data transferring error by avoiding reading wrong data in any unmatched media, therefore

being advantageous. Secondly, Fujimoto, in his teaching of data delivery method and system therefor, discloses ejecting the recording medium from the data transfer element (computer 24) the Ids comparison is not matched (e.g. see column 13, lines 38-44). Accordingly, it would further obvious to one having ordinary skill in the art at the time the current invention as made to utilize the teaching of Fujimoto as being detailed above and known to be required in the system of Smith in order to arrive at Applicant's current invention. By doing so, it would avoid data being written onto the wrong units, therefore further enhancing overall system reliability.

As per claim 2, Smith discloses clearing a previous list of allowed identification numbers for each data transfer element is equivalently taught as the EEPROM/Or respective memory devices can be programmed/changed/cleared with appropriated VOLSER (e.g. see column 6, lines 58 et seq.; column 8, lines 44 et seq.; column 10, lines 55 et seq.);

As per claim 3, Smith discloses reading the identification numbers (VOLSER number) of media/tape (e.g. see column 14, lines 22-23);

As per claim 4, listing the identification (VOLSER) numbers of media in memory storage of the at least one selected data transfer elements that the selected data transfer elements is to be allowed to access is equivalently taught as displaying/

listing by the display unit 66 for indicating the VOLSER number and tape cartridge location of the requested tape cartridge and the designated tape cartridge drive into which it is to be loaded (e.g. see column 10, lines 45-49);

As per claim 5, entering identification numbers (VOLSER number) of media the at least one selected data transfer elements is allowed to access in memory storage of the at least one selected data transfer elements is taught as programming the respective memory devices associated with each tape with the VOLSER number of the particular tape and other pertinent information (e.g. see column 6, lines 59 et seq.);

As per claim 6, reading the identification (VOLSER) number of the medium/tape during transport of the medium from a medium storage element slot to one of the data transfer elements (e.g. see column 6, lines 15-19; column 10, lines 55 et seq.; column lines et seq.)

As per claim 7; Smith discloses reading the identification (VOLSER) number of the medium/tape using a data transfer element receiving the medium (e.g. see column lines 22-23)7

As per claim 8, Smith discloses checking memory storage associated with the at least one selected data transfer element for the identification number of the medium/tape is equivalently taught as the host computer interrogates circuitry within each of the tape carriers to determine whether there is a

match between a requested VOLSER number and the VOLSER numbers tapes currently stored in the respective tape carriers in order to accept or to reject the tape media (e.g. see column lines 14-19);

As per claims 10 and 11, Smith discloses the identification number (VOLSER) is encoded in a barcode, disposed on the medium and wherein the identification (VOLSER) number resides cartridge memory of the medium (e.g. see column 14, lines 5 et seq.).

As per claim 13, Smith discloses wherein the unique identification numbers are universally unique (e.g. see column lines 39-43 and lines 60-62);

As per claims 14-21, they encompass the same scope of invention as to that of claims 1-8, 10-11 and 13. Noting the "ejecting said selected ... medium" (claim 15) as taught by Fujimoto ('720) detailed above. The claims are therefore rejected for the same reasons as being set forth above.

As per claim 22, Smith discloses a partitioned data library comprises data storage media (e.g. see figures 1 and each medium of the media (tape cartridge) having an identification number (e.g. see column lines 18-21); a plurality of storage element slots each of the slots adapted to store a medium of the data storage media (e.g. see figure 2; column 8, lines 33 et seq.; also column 59 et seq.), at least one set of at least

one of the slots assigned to one partition of a plurality of library partitions is equivalently taught as twenty tape cartridge slots is assigned for each tape carrier (e.g. see column 8, lines 63-65); Smith further discloses a plurality of data transfer elements that are adapted to receive the media and transfer data to and from the media wherein each of at least one set of at least one of the data transfer elements assigned to one of the library partitions as being equivalent to data transmission means associated with each carrier receptacle and each tape for updating the memory of each carrier when a tape is transferred or removed (e.g. see column 6, lines 46 et seq.). Smith discloses utilizing the VOLSER number in order to track the location of a particular tape in a tape carrier based upon a match of the VOLSER number; for example, Smith discloses if the VOLSER numbers do match, a positive instruction is sent to action block 420, instructing the system to get the aisle, rack, and position numbers of the particular receptacle out of the 64 byte EEPROM memory in the microcontroller 300 (e.g. see column 24, lines 44-61). Smith does not particularly disclose access to the media by each of the data transfer elements is restricted to media having

particular ones of the identification numbers, and wherein a medium is ejected from one of the data transfer element in response to the identification number not being one of said particular ones of the identification numbers. First of all, it should be noted that by determining the location of the requested medium (tape) with respect to the matching of the VOLSER numbers, it's clearly understood that any transfer element within Smith's system must only accept media associated with the matching VOLSER in order to avoid, transferring of any unmatched media or unmatched media data to the host. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to implement the data transfer element in the library to only accept media having matching VOLSER number or matching identification number as being claimed. In doing so, it would enhance system reliability; reducing data transferring error by avoiding reading wrong data in any unmatched media, therefore being advantageous. Secondly, Fujimoto, in his teaching of data delivery method and system therefor, discloses ejecting the recording medium from the data transfer element (computer 24) the Ids comparison is not matched (e.g. see column 13, lines 38-44). Accordingly, it would further obvious to one having ordinary skill in the art at the time the current invention as made to utilize the teaching of Fujimoto as being detailed above and known to be required in the system of

Smith in order to arrive at Applicant's current invention. By doing so, it would avoid data being written onto the wrong units, therefore further enhancing overall system reliability.

As per claim 23, Smith discloses library controller as being equivalent to library controller circuit 42 for directing movement of the media to and from one of the set of slots to and from one of the sets of data transfer elements assigned to a same of the partitions (e.g. see figure 6);

As per claim 25, Smith discloses the EEPROM chip for storing identification numbers VOLSER that data transfer element is allowed to access (e.g. see column 11, lines 25-28);

As per claim 26, wherein the identification number is encoded in a barcode disposed on the medium (e.g. see column 14, lines 5 et seq.);

As per claim 27, wherein the identification numbers (VOLSER) reside in cartridge memory of the media (e.g. see column 8, lines 18 et seq.);

As per claim 28, wherein the identification number of sàid medium is read during transport of the medium from one of the storage element slots to one of the data transfer elements (e.g. see column 6, lines 15-197 column 10, lines 55 et seq.; column 11, lines 23 et seq.);

As per claim 29, Smith discloses the media identification numbers (VOLSER) are read by the data transfer elements (e.g.

lines 24 et seq.) ;

As per claim 30, wherein the unique identification numbers are universally unique (e.g. see column lines 39-43 and lines 60-62);

Allowable subject matter

10. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. The prior arts of record neither disclose nor teach the data library is partitioned into a plurality of partitions and the recording step comprises reading the identification numbers of the media in a particular partition; and the commanding step further comprises restricting access of the at least one selected data transfer elements to the media in a same partition as the at least one selected data transfer elements.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan V. Thai whose telephone number is (571)-272-4187. The examiner can

normally be reached on from 6:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew M. Kim can be reached on (571)-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see ***http://pair-direct.uspto.gov***. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVT/October 02, 2006

Tuan V. Thai

PRIMARY EXAMINER

Group 2100